

Message

From: Chemerys, Ruth [Chemerys.Ruth@epa.gov]
Sent: 11/27/2019 5:52:32 PM
To: Siegal, Tod [Siegal.Tod@epa.gov]
CC: Hurlid, Kathy [Hurlid.Kathy@epa.gov]
Subject: RE: Tribes with TAS for WQS as a downstream state for 402 notification
Attachments: Tribal Considerations for States 11-26-19.docx

Tod-

As mentioned, here is a revised paper that Kathy and I would like to discuss with the workgroup when we have our next call (possibly next week). The paper **Ex. 5 Deliberative Process (DP)** for leadership.

Would you have time to take another look and let me know if this reflects our discussion on the last call. For now, I'm not sending again to our min-workgroup (Fred, Andy, etc.) but will include them when we send to the 404(g) rule workgroup. If you can review by next Monday, we'll then send to the workgroup. If not, we can have your review be concurrent with the workgroup.

Thanks!
Ruth

From: Siegal, Tod <Siegal.Tod@epa.gov>
Sent: Monday, November 25, 2019 4:18 PM
To: Chemerys, Ruth <Chemerys.Ruth@epa.gov>
Cc: Hurlid, Kathy <Hurlid.Kathy@epa.gov>
Subject: RE: Tribes with TAS for WQS as a downstream state for 402 notification

Sounds good. Note that I'll be out of the office on use/lose leave for much of December. I'll be out the weeks of 12/9, 12/23/ and 12/30. Thanks.

Tod Siegal
U.S. EPA, Office of General Counsel
Cross-Cutting Issues Law Office
202-564-5552

From: Chemerys, Ruth <Chemerys.Ruth@epa.gov>
Sent: Monday, November 25, 2019 4:01 PM
To: Siegal, Tod <Siegal.Tod@epa.gov>
Cc: Hurlid, Kathy <Hurlid.Kathy@epa.gov>
Subject: RE: Tribes with TAS for WQS as a downstream state for 402 notification

Thanks Tod. **Ex. 5 AC/DP**

Ex. 5 AC/DP

We're hoping to possibly discuss a revised version of the "tribal considerations" paper (based on our last discussion) at an upcoming workgroup meeting in December (normally would be this Thursday, so it could be next Thursday.) We'll include you when that gets scheduled. Regarding the other options paper on tribal assumption, we'll probably need to have another discussion with you and others on the **Ex. 5 AC/DP**

Ruth

From: Siegal, Tod <Siegal.Tod@epa.gov>
Sent: Monday, November 25, 2019 3:45 PM
To: Chemerys, Ruth <Chemerys.Ruth@epa.gov>
Cc: Hurlid, Kathy <Hurlid.Kathy@epa.gov>
Subject: RE: Tribes with TAS for WQS as a downstream state for 402 notification

Hi Ruth,

Ex. 5 AC/DP

Ex. 5 AC/DP

Ex. 5 AC/DP

Happy to

discuss. Thanks.

Tod Siegal
U.S. EPA, Office of General Counsel
Cross-Cutting Issues Law Office
202-564-5552

From: Chemerys, Ruth <Chemerys.Ruth@epa.gov>
Sent: Monday, November 25, 2019 1:41 PM
To: Siegal, Tod <Siegal.Tod@epa.gov>
Cc: Hurlid, Kathy <Hurlid.Kathy@epa.gov>
Subject: Tribes with TAS for WQS as a downstream state for 402 notification

Hi Tod-

In between WOTUS work, I'm working on revising one of our options paper regarding tribal considerations in state assumption, per our last meeting on tribal assumption issues.

Ex. 5 AC/DP

Ex. 5 AC/DP

Thanks again!
Ruth

From: Siegal, Tod <Siegal.Tod@epa.gov>
Sent: Thursday, October 10, 2019 4:41 PM
To: Chemerys, Ruth <Chemerys.Ruth@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Byrne, Andrew <Byrne.Andrew@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Maher, Lauren <Maher.Lauren@epa.gov>
Cc: Leutner, Fred <Leutner.Fred@epa.gov>; Bathersfield, Nizanna <Bathersfield.Nizanna@epa.gov>
Subject: RE: Tribal 404 Assumption Issues, continued

Hi all. As discussed,

Ex. 5 AC/DP

Ex. 5 AC/DP

Thanks.

Tod Siegal
U.S. EPA, Office of General Counsel

Cross-Cutting Issues Law Office
202-564-5552

-----Original Appointment-----

From: Chemerys, Ruth <Chemerys.Ruth@epa.gov>

Sent: Thursday, October 03, 2019 1:02 PM

To: Chemerys, Ruth; Hurd, Kathy; Siegal, Tod; Byrne, Andrew; Kupchan, Simma; Maher, Lauren; Vallette, Yvonne

Cc: Leutner, Fred; Kasperek, Lauren; Bathersfield, Nizanna

Subject: Tribal 404 Assumption Issues, continued

When: Thursday, October 10, 2019 3:00 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: DCRoomWest7201/DC-CCW-OWOW (DCRoomWest7201@epa.gov) or **Ex. 6 Personal Privacy (PP)**

Continuing discussion of tribal Issues in the 404(g) Rulemaking

Call in: **Ex. 6 Personal Privacy (PP)**

Conference ID: **Ex. 6 Personal Privacy (PP)**

Or Room 7201 WJC West (Tillamook room)

We'll pick up our discussion with the second options paper: Tribal considerations when a state assumes (attached draft, with Tod's comments)

While we've discussed some of this previously, wanted to discuss again now that we've drafted an options paper. After our discussion, we'll revise accordingly and share with the full 404(g) workgroup

Thanks!
Ruth

Ruth Chemerys

EPA Office of Water

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